

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD  
NOVEMBER 15, 1999 AT 1:30 P.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

**FINAL REPORT FROM THE JUDICIAL CENTER ACTION TEAM**

A work session was held to receive the final report of the Judicial Center Action Team.

**INITIAL DESIGN OF THE 800 MHz RADIO SYSTEM**

A work session was held to review and discuss the initial design of the 800 MHz radio system.

**YEAR 2000 (Y2K) PREPAREDNESS AND CONTINGENCY PLANNING**

A work session was held to receive an update on the Y2K preparedness and contingency plan.

**PARKS AND RECREATION SEMI-ANNUAL UPDATE**

Parks and Recreation Board members and staff presented and update of activities regarding parks and recreation.

The meeting was reconvened in Regular Session at 6:30 p.m. in the Warren Green Meeting Room.

**ADOPTION OF THE AGENDA**

Mr. Mangum moved to adopt the Agenda subject to acceptance of a substitute resolution for A Resolution to Identify and Process a Timeline for the Formulation, Review and Adoption of the FY 2001 Fauquier County Budget. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

## CITIZENS TIME

- Karen Cosner spoke to the Board regarding the lack of parking at the SPR building on Hospital Hill for use by the Dialysis Center. Ms. Cosner suggested the number of handicapped parking spaces be increased from five to seven, that fourteen spaces be reserved for the dialysis patients, that the parking lot be enlarged, and that employees of the building park in designated spaces with police enforcement.
- Anita Gray-Tortorella asked the Board of Supervisors to consider a site for a new middle school at Vint Hill.
- Bob Moore expressed his compliments to the fire and rescue personnel for their efforts at the recent tractor-trailer accident on I-66. Mr. Moore also thanked the out-going Board members for their working relationship with the Virginia Department of Transportation.
- Kitty Smith asked the Board of Supervisors not to rush into a decision regarding Vint Hill.
- Helen Ross Ford spoke in opposition to the proposed rezoning of Vint Hill.
- Jo Sargeant asked the Board of Supervisors to consider establishing a Fauquier County Community Services Board.

## CONSENT AGENDA

Mr. Winkelmann moved to adopt the following Consent Agenda items. Mr. Green seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**A Resolution to Rescind the Budget Development and Management Committee**

## RESOLUTION

### A RESOLUTION TO RESCIND THE BUDGET

### DEVELOPMENT AND MANAGEMENT COMMITTEE

WHEREAS, the Board of Supervisors is charged by the Code of Virginia (1950), as

amended, with the adoption of an annual budget for Fauquier County; and

WHEREAS, The County Administrator is required by the Code of Virginia to prepare and submit to the Board of Supervisors for its consideration a Proposed Budget for the County; and

WHEREAS, in January 1999 the Board of Supervisors established a standing Budget Development and Management Committee to facilitate certain aspects of the budgeting process; and

WHEREAS, the current Board of Supervisors recognizes the need for the newly elected Board of Supervisors to become fully and equally involved in the budgeting process and its taxation consequences; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of November 1999, That the Resolution to create a Budget Development and Management Committee, adopted January 5, 1999 is hereby rescinded; and, be it

RESOLVED FURTHER, That the budget management functions of the Budget Development and Management Committee shall be reviewed and clarified by the Finance Committee, which shall report to the Board of Supervisors on the question of assigning budget management functions; and, be it

RESOLVED FINALLY, That the Board of Supervisors will resume acting upon the County Administrator's Proposed Budget as a Committee of the Whole.

FY 2000 Budget Transfers and Supplemental Appropriations in the Amount of \$204,491

#### RESOLUTION

#### A RESOLUTION TO AUTHORIZE FY 2000 BUDGET TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS IN THE AMOUNT OF \$204,491

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the operation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from internal adjustments or from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, the Sheriff's Office has requested the appropriation of \$1,160 in Federal revenue for Share of Forfeiture Proceeds – DEA Group 33; and

WHEREAS, the Clerk of the Circuit Court requested the appropriation of \$12,123 in State Grant funding for processing and reformatting archival records; and

WHEREAS, the Office of Management and Budget requested an appropriation of \$735 from State funds collected from the sale of DMV special license plates for animal sterilization at the S.P.C.A. and the carryover of \$29,493 from the FY 1999 Courthouse Maintenance Fees to the Capital Improvements Program; and

WHEREAS, the Volunteer Fire and Rescue Companies requested an appropriation of \$49,415 in fund balance carryover; and

WHEREAS, the Office of Emergency Services requested an appropriation of \$55,929 from E911 Tax revenue for emergency radio communications system repairs and upgrades; and

WHEREAS, the Department of Community Development requested \$55,636 in increased revenue from Plats and Site Plans, Rezoning Requests and Special Exceptions be appropriated to fund two (2) planner positions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of November 1999, That the sum of \$204,491 be carried over, transferred or appropriated, and hereby approved as follows:

<u>Source</u>	<u>FROM Code</u>	<u>Amount</u>	<u>Department</u>	<u>TO Code</u>	<u>Amount</u>
Federal Funds	3-100-331000-0040	\$1,160	Sheriff's Office	4-100-31230-8201	\$1,160
State Funds	3-100-244010-0045	\$12,123	Clerk of the Circuit Court	4-100-021610-1301	\$10,945
					\$876
				4-100-021610-2100	\$302
				4-100-021610-6001	
	3-100-244005-	\$735	SPCA	4-100-81600-5670	\$735

State Funds	0015				
Carryover					
Courthouse Maintenance Fees	4-100-419000-0010	\$29,493	CIP	4-302-094420-3313	\$29,493
Carryover	3-270-419000-0010	\$49,415	Fire and Rescue	4-270-032302-6008	\$4,682
				4-270-032304-6008	\$6
					\$1,323
				4-270-032305-6008	\$1,189
				4-270-032306-6008	\$12,245
					\$29,970
				4-270-032307-6008	
				4-270-032313-6008	
Carryover	3-220-419000-0010	\$55,929	Office of Emergency Services	4-220-031410-3312	\$16,508
				4-220-031410-8203	\$39,421
Local Revenue	3-100-133000-0043	\$20,000	Community Development	4-100-81200-1101	\$36,300
		\$20,000		4-100-81200-2100	\$2,777
	3-100-133000-0047	\$15,636		4-100-81200-2210	\$4,418
	3-100-133000-0049			4-100-81200-2310	\$2,880
				4-100-81200-2400	\$261
				4-100-81200-8202	\$5,000
				4-100-81200-8207	\$4,000
<b>TOTAL</b>		<b>\$204,491</b>			<b>\$204,491</b>

A Resolution to Change the Charter of the Public Safety Compensation Task Force

RESOLUTION

A RESOLUTION TO ASSIGN A NEW CHARTER TO THE

PUBLIC SAFETY COMPENSATION TASK FORCE

WHEREAS, the United States Army ceased operations of Company 20 at Vint Hill Farms Station on September 22, 1999; and

WHEREAS, Company 20 provided mutual aid to citizens and businesses in the New Baltimore area of Scott District and the Catlett/Calverton area of Cedar Run District; and

WHEREAS, the Board of Supervisors wants to assess the impact of the closing of Company 20 and insure adequate Fire and Rescue resources are available to citizens and businesses in the affected area; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, That the Board does hereby revise the charter of the Public Safety Compensation Task Force and directs the Task Force to assess the impact of the closure of Company 20 and make recommendations it deems necessary to ensure adequate Fire and Rescue services; and, be it

RESOLVED FURTHER, That the Task Force henceforth be designated as and referred to as the Public Safety Emergency Services Task Force.

A Resolution to Authorize the County to Pick Up the Employee's Contribution to the Virginia Retirement System for Past Service Credit Under Section 414(h) of the Internal Revenue Code

RESOLUTION

AUTHORIZATION TO PICK UP THE EMPLOYEE'S CONTRIBUTION TO VRS FOR PAST SERVICE CREDIT UNDER 414(h) OF THE INTERNAL REVENUE CODE

WHEREAS, the Fauquier County Government desires to provide its employees with tax deferral pursuant to 414 (h) of the Internal Revenue Code with respect to their member contributions to the Virginia Retirement System, the State Police Officers Retirement system and the Judicial Retirement System (collectively referred to as VRS) for the permissible purchase of past service credit by picking up member contributions to the VRS; and

WHEREAS, the pick up is authorized under Virginia Code Sections 51.1-142.1 and

51.1-143.C; and

WHEREAS, the VRS keeps track of such picked up member contributions, and is prepared to treat such contributions as employee contributions for all purposes of VRS; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, That effective the first pay day on or after the later of November 15, 1999, or the date the member executes a binding and irrevocable salary reduction election relating to the past service permitted to be purchased, Fauquier County Government shall pick up all or a portion of the member contributions of its employees to VRS based on the terms of the salary reduction election, and such contributions shall be treated as employer contributions in determining tax treatment under the Internal Revenue Code of the United States; and it is further

RESOLVED, That the binding salary reduction election to be executed by the member shall include the following: (1) the beginning and ending date of the election, (2) the amount of the salary reduction on a pay period by pay period basis, (3) the total amount of contribution expected to be involved, (4) a statement that the member may not receive the contributed amounts instead of having them paid by Fauquier County Government to the VRS, and (5) an agreement that the member will not purchase the service credit through a lump sum payment during the period in which the salary reduction election is in effect; and it is further

RESOLVED, That the member may revoke the salary reduction election only in the event of an unforeseeable emergency as that phrase is used and defined in IRC Section 457 and Treasury Regulation Section 1.457-2(h)(4) and if such a revocation is made, the member may not make a new salary reduction election during his period of employment; and it is further

RESOLVED, That such contributions, although designated as member contributions, are to be made by Fauquier County Government, in lieu of member contributions; and it is further

RESOLVED, That pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and it is further

RESOLVED That member contributions made by Fauquier County Government under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and it is further

RESOLVED, That nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by Fauquier County Government directly instead of having them paid to VRS; and it is further

RESOLVED, That notwithstanding any contractual or other provisions, the wages of

each member of VRS who is an employee of Fauquier County Government shall be reduced by the amount of member contributions picked up by Fauquier County Government on behalf of such employee pursuant to the forgoing resolutions; now, therefore, be it

RESOLVED FINALLY, by the Fauquier County Board of Supervisors this 15th day of November 1999, That Fauquier County Government picks up the employee's contribution to VRS for past service credit under 414(h) of the Internal Code, be, and are hereby, approved.

A Proclamation Recognizing the Accomplishments and Contributions of Boots Ritchie to the Fauquier County Community and Citizens

## PROCLAMATION

### A PROCLAMATION OF APPRECIATION

#### FOR CALVIN L. "BOOTS" RITCHIE

WHEREAS, Calvin L. "Boots" Ritchie has devoted his life to selfless public service to benefit his community; and

WHEREAS, "Boots" Ritchie was a founding member of 'People Helping People' a charitable and philanthropic organization that has come to the rescue of individuals and families in time of grave need; and

WHEREAS, "Boots" Ritchie will not accept "no" for an answer when it comes to seeking assistance for disadvantaged members of our community; and

WHEREAS, "Boots" Ritchie gives tirelessly of his time to help promote and preserve agriculture which is the keystone of the County's heritage; and

WHEREAS, "Boots" Ritchie provides young citizens with an exemplary role model through his dedicated work ethic, his genteel and self effacing demeanor, and his intense commitment to assisting his fellow man; and

WHEREAS, the legions of friends of "Boots" Ritchie have planned a testimonial dinner in recognition of a lifetime of service above self; now, therefore, be it

PROCLAIMED, by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, That the 21st day of November 1999 be, and is hereby, declared "*Boots" Ritchie Appreciation Day* in recognition of a man who has unceasingly made Fauquier County a better place to live and raise a family.

A Resolution to Authorize the County Administrator to Acquire, by Purchase or Condemnation, Real Property Necessary to Expand the Warrenton-Fauquier Airport



## RESOLUTION

## A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACQUIRE, BY PURCHASE OR CONDEMNATION, REAL PROPERTY NECESSARY TO EXPAND THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, the Fauquier County Board of Supervisors has adopted a Master Plan for the Warrenton-Fauquier Airport which provides for expansion of the Airport; and

WHEREAS, the Fauquier County Airport Committee previously recommended that the County of Fauquier institute land acquisition procedures to acquire, by purchase or condemnation, those properties necessary for the Warrenton-Fauquier Airport expansion; and

WHEREAS, several properties have already been acquired, either by purchase or condemnation, and additional properties are in the process of being acquired as part of the Airport expansion project; and

WHEREAS, funds are available under an existing Federal Aviation Administration grant for appraisal work and other efforts related to the acquisition, in fee simple, of the following properties:

NAME	PIN	ACREAGE
Messick, Edgar W., Jr., et als	Portion of 7819-03-8285 and	19.9235 acres
	Portion of 7819-03-2264	2.5106 acres

WHEREAS, pursuant to Section 5.1-31 et seq. of the Code of Virginia, 1950, as amended, counties are authorized to acquire, construct, maintain and operate airports and airport related facilities; and

WHEREAS, pursuant to Section 5.1-31 of the Code of Virginia, 1950, as amended, counties are authorized, by purchase or condemnation, to acquire land necessary to construct, maintain, and operate airports; and

WHEREAS, the Board of Supervisors has determined that public use and necessity require the acquisition of certain properties for the expansion and operation of the Warrenton-Fauquier Airport, and, by adoption of this resolution, determines that it is in the public interest to proceed with efforts to acquire the aforesaid properties, either through the payment of the fair market value as determined by appraisal or, if such value is not acceptable to the landowners, by the power of eminent domain; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, That the County Administrator be, and is hereby, authorized to proceed with efforts to acquire, for purposes of expansion of the Warrenton-Fauquier Airport, the

following described property, in fee simple and at fair market value as determined by a competent appraisal:

NAME	PIN	ACREAGE
Messick, Edgar W., Jr., et als	Portion of 7819-03-8285 and	19.9235 acres
	Portion of 7819-03-2264	2.5106 acres

and, be it

RESOLVED FURTHER, That should the owners of the aforesaid lands refuse the offer of fair market value, the County Administrator and County Attorney be, and are hereby, authorized to institute on behalf of the County of Fauquier condemnation proceedings to acquire a fee simple interest in the properties; and, be it

RESOLVED FINALLY, That the County Administrator be, and is hereby, authorized to execute all purchase or settlement documents or eminent domain pleadings as are necessary to acquire fee simple title to the properties and is hereby authorized to expend such funds from the Capital Project Fund as are necessary to acquire the aforesaid lands, in fee simple, subject to reimbursement in accordance with the terms and conditions of the existing Federal Aviation Administration grant funds.

A Resolution to Authorize a Position Modification for the Geographic Information Technician I Position in the Commissioner of the Revenue Office

## RESOLUTION

### A RESOLUTION TO AUTHORIZE A POSITION MODIFICATION

### FOR THE GEOGRAPHIC INFORMATION TECHNICIAN I POSITION

### IN THE COMMISSIONER OF THE REVENUE OFFICE

WHEREAS, the position of Geographic Information Technician I was allocated as full time temporary in the Commissioner of the Revenue's budget in FY1996; and

WHEREAS, this position is responsible for performing duties related to the addition of new construction value to the real estate assessment rolls; and

WHEREAS, this position is a part of a critical revenue generating function;

and

WHEREAS, no additional appropriation is required to complete this modification;

and

WHEREAS, the position as full time will be incorporated into the county administrator's recommended FY 2001 base budget; now therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 20th day of December 1999, That the position of GIS Tech I in the Office of Commissioner of the Revenue be, and is hereby, established a full time permanent position effective January 1, 2000.

A Resolution to Establish the Assistant Director of Economic Development Position Classification

## RESOLUTION

### A RESOLUTION TO ESTABLISH THE ASSISTANT ECONOMIC DEVELOPMENT DIRECTOR POSITION CLASSIFICATION

WHEREAS, the Board of Supervisors appropriated sufficient funds in the FY2000 operating budget to establish the County's first Office of Economic Development; and

WHEREAS, the budget included funding for two professional positions and one clerical support position with the understanding that actual job descriptions, positions titles and pay grades would be established at a later date using the County's standard classification process; and

WHEREAS, the Director of Economic Development, with input from the County Administrator and the Department of Human Resources, prepared a draft job description for the second professional position including a recommendation that the position title be the Assistant Director of Economic Development; and;

WHEREAS, the proposed position description and recommended position title have been reviewed by the County's classification consultants, DMG – Maximus; and

WHEREAS, based upon their review, DMG-Maximus has recommended that the attached job description for the position of Assistant Economic Development Director be established at a pay grade of 23 (salary range \$31,327 to \$49,771); now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of November 1999, That the Fauquier County Board of Supervisors does hereby establish the Assistant Director of Economic Development job description and pay classification.

A Resolution to Accept Wayland Drive and Spruce Hill Court in the Spruce Hill and Fox Glen Subdivisions Into the Secondary Highway System

## RESOLUTION

## FAUQUIER COUNTY BOARD OF SUPERVISORS

## SUBDIVISION STREET ACCEPTANCE FOR THE

## SPRUCE HILL AND FOX GLEN SUBDIVISIONS

## SCOTT MAGISTERIAL DISTRICT

WHEREAS, certain streets on the sketch titled "Spruce Hill and Fox Glen Subdivisions, Scott Magisterial District, Fauquier County" dated November 2, 1999, and described on the Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerks Office of the Circuit Court of Fauquier County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the *Subdivision Street Requirements* of the Virginia Department of Transportation; and

WHEREAS, the above streets serve a genuine public need; and

WHEREAS, Fauquier County and the Virginia Department of Transportation have entered into an agreement on February 7, 1995, for comprehensive stormwater detention, which applies to this request for addition; now therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 2nd day of August, 1999, That the Virginia Department of Transportation be, and is hereby, requested to take the necessary action to add the above described streets in the State Highway Secondary System for maintenance, as provided in Sec. 33.1-229, Code of Virginia, and the Virginia Department of Transportation's *Subdivision Street Requirements*; and, be it

RESOLVED FURTHER, That this Board does guarantee the Commonwealth of Virginia a minimum unrestricted right-of-way of fifty feet in Spruce Hill and Fox Glen Subdivisions, with necessary easements for cuts, fills, and drainage; recorded in Deed Book 742, Page 1494, dated August 24, 1995; and Deed Book 750, Page 608, dated January 26, 1996 respectively; and, be it,

RESOLVED FINALLY, That a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Preliminary Subdivision Application – Gold Crest Estates (Lot 5)

No action was taken.

Preliminary Subdivision Application – Washwright Subdivision (Lots 1A and 1B)

No action was taken.

Preliminary Subdivision Application – Park Lake Subdivision (Lots 6 and 7)

No action was taken.

Preliminary Subdivision Application – Annie F. Schwab Property

No action was taken.

Waiver of Subdivision Ordinance – Thomas G. Neel

No action was taken.

#### **COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST – LEON B. ZEIGER, OWNER/APPLICANT**

A public hearing was held at the October 20, 1998 meeting to consider a request from Leon Zeiger to amend the Comprehensive Plan for the Opal Service District to re-designate a total of 60 acres, a 27 acre parcel and 33 acres of a 298.7 acre parcel from Planned Commercial Industrial Development (PCID) to Commercial Shopping Center; and to rezone a total of 92 acres, consisting of 19.7 acres from Rural Agriculture to Commercial Highway, 41.5 acres from Rural Agriculture to Commercial Shopping Center Community/Regional, and 30.8 acres from Rural Agriculture to Industrial Park. The property is located on the west side of Route 15/29 (James Madison Highway) at the south end of the Service District, Lee District. Mr. Mangum moved to table the decision until the December 6, 1999 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

#### **FAUQUIER COUNTY CODE AMENDMENT – SECTIONS 18.5-15 AND 18.5-17 – CONSIDER COST SHARE PROGRAM FOR CONTROL AND ERADICATION OF JOHNSON GRASS**

A public hearing was held at the October 4, 1999 meeting to consider amending Sections 18.5-15 and 18.5-17 of the Fauquier County Code to consider a cost share

program for control and eradication of Johnson Grass. Mr. Burton moved to table the decision until the December 6, 1999 meeting and to hold a work session. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**A RESOLUTION TO IDENTIFY AND PROCESS A TIMELINE FOR THE FORMULATION, REVIEW AND ADOPTION OF THE FY 2001 FAUQUIER COUNTY BUDGET**

Mr. Winkelmann moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**RESOLUTION**

**A RESOLUTION TO IDENTIFY THE PROCESS AND TIMELINE**

**FOR THE FORMULATION, REVIEW AND ADOPTION OF THE**

**FY 2001 FAUQUIER COUNTY BUDGET**

WHEREAS, the County Administrator is required by Code of Virginia to prepare and submit to the Board of Supervisors a proposed annual budget for the County; and

WHEREAS, it is the intent of the Board of Supervisors to provide general direction to the County Administrator in the preparation of the proposed budget; and

WHEREAS, the Board of Supervisors has the prerogative to provide general direction on the process and timeline in which to review, modify and adopt the proposed budget; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of November 1999, That the following guidance shall be considered in the formulation of the County Administrator's Proposed Budget:

- The County Administrator shall prepare a budget which best serves the needs of the citizens of Fauquier County
- The County Administrator shall prepare a budget that recognizes that our competent and dedicated employees are the County's greatest resource
- The County Administrator shall prepare a budget that is in conformance with the Board of Supervisors priorities but without influence from individual Board members
- The County Administrator shall prepare two budgets, one of which will represent a needs base and one which will not require an increase to the current tax rates; and, be it

RESOLVED FURTHER, That the following process be established for the review of the County Administrator's FY 2001 Proposed Budget:

- The Board of Supervisors will review the County Administrator's FY 2001 Proposed Budget as a Committee of the whole
- The five-member committee will hold work sessions to review and adjust the proposed budget
- The Committee shall be staffed by the County Administrator's Office and the Office of Management and Budget with other departments participating as necessary; and, be it

RESOLVED FINALLY, That the following timeline be followed for the review of the County Administrator's FY 2001 Proposed Budget:

- The County Administrator's will submit his FY 2001 Proposed Budget to the Board of Supervisors at its February 7, 2000, regularly scheduled meeting
- Work sessions will be scheduled bi-weekly, or as necessary, to allow for detailed review of the Proposed Budget and examination of tax rates
- The Board of Supervisors will adopt the Fauquier County FY 2001 Budget and CY 2000 tax rates prior to April 1, 2000, to allow for sufficient time to adopt tax rates for the June 5, 2000, real property collection deadline.

#### **A RESOLUTION TO IMPLEMENT THE RECOMMENDATIONS OF THE PUBLIC SAFETY COMPENSATION TASK FORCE**

Mr. Winkelmann moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Abstention: None

## RESOLUTION

### A RESOLUTION TO IMPLEMENT THE RECOMMENDATIONS OF THE PUBLIC SAFETY COMPENSATION TASK FORCE

WHEREAS, the Board of Supervisors convened the Public Safety Compensation Task Force (Task Force) to evaluate the current compensation levels for all County uniformed services personnel, and then further expanded that evaluation to include Emergency Communication Specialists in the Warrenton Fauquier Joint Communications Center; and

WHEREAS, the Board of Supervisors, by resolution on June 7, 1999, directed that the Task Force, supported by the Human Resources Department, develop a career advancement plan for all public safety personnel to be included in the FY 2001 budget process; and

WHEREAS, a result of the Task Force's final analyses was the determination that recruiting and retaining uniformed service personnel could be improved with the restructuring of the Sheriff's Office and OES; and

WHEREAS, the Task Force further determined that non-monetary compensation for the volunteers of the Fire & Rescue Association should be improved; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, that the Sheriff add the positions of First Sergeant and Master Deputy to his organizational structure and submit Comprehensive Position Questionnaires to DMG—MAXIMUS for evaluation as part of the County system-wide review; and, be it

RESOLVED FURTHER, That the Emergency Services Coordinator replace the position of Sergeant with Lieutenant and add the positions of Master Technician, Technician II and Technician I to his organizational structure and submit Comprehensive Position Questionnaires to DMG—MAXIMUS for evaluation as part of the County system-wide review; and, be it

RESOLVED FINALLY, That the following compensation initiatives be implemented for members of the Fire & Rescue Association:

- Include in the Fire & Rescue Association budget a recurring expenditure equal to the annual cost to add workers' compensation to the accident and health insurance coverage for volunteers.



- Include in the Fire & Rescue Association FY 2001 budget a one-time expenditure of \$42,140 for 35 sets of protective clothing, conditional upon establishment of a clothing central issue facility.
- Authorize capital improvements to Fire & Rescue stations to be submitted by the Office of Emergency Services to the County CIP program based on a methodology, developed by the Association, that assures parity between all members.

**A RESOLUTION TO ESTABLISH THE POSITION OF ASSISTANT COUNTY ADMINISTRATOR, TO ABOLISH THE POSITION OF PROJECT OFFICER AND TO ENDORSE CERTAIN OTHER STRUCTURAL CHANGES TO THE OFFICE OF THE COUNTY ADMINISTRATOR**

Mr. Mangum moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**RESOLUTION**

**A RESOLUTION TO ESTABLISH THE POSITION OF ASSISTANT COUNTY ADMINISTRATOR, TO ABOLISH THE POSITION OF PROJECT OFFICER AND TO ENDORSE CERTAIN OTHER STRUCTURAL CHANGES TO THE OFFICE OF THE COUNTY ADMINISTRATOR**

WHEREAS, the Office of the County Administrator is responsible for administering all departments of County government under the Board of Supervisors' general control, the management of special projects, advocating for the Board of Supervisors Legislative Program at the Local, State and Federal level, serving as liaison to the public and groups within the County and between County, State and Federal agencies and carrying out all other powers, duties and responsibilities as outlined in the Code of Virginia, Article 8 of Title 15.1, Subsection 1-17; and

WHEREAS, the Office of the County Administrator currently consists of four positions: the County Administrator; the Deputy County Administrator; the Project Officer; and an Executive Assistant II; and

WHEREAS, following a review of the supervisory and liaison responsibilities, other major duties and committee staff assignments associated with the Office of the County Administrator, the County Administrator has determined and does hereby recommend that

the position of Assistant County Administrator be established and that the position of Project Officer be abolished at such time that the Assistant County Administrator position is filled on or around December 1, 1999;

WHEREAS, concurrent with the establishment of the new organizational structure, the County Administrator is recommending certain changes to the supervisory and liaison responsibilities, other major duties and committee assignments within the Office of the County Administrator which will result in increased effectiveness in carrying out the mission of the Office and provide additional managerial depth; and

WHEREAS, the recommended changes to the supervisory and liaison responsibilities, other major duties and committee assignments have been reviewed by and are supported by the Constitutional Officers and County department heads; and

WHEREAS, the requested change in the authorized staff complement will not result in an increase to the number of authorized staff, would maintain a staffing level at or below that approved by the Board of Supervisors in FY1991 and sufficient funds are available within the FY1999 County Administration budget to absorb the current fiscal year financial impact of this action; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of November 1999, That the Fauquier County Board of Supervisors does hereby approve the establishment of the position of Assistant County Administrator and the abolishment the position of Project Officer concurrent with the filling of the Assistant County Administrator position; and, be it

RESOLVED FURTHER, That the Board of Supervisors does hereby authorize and direct the County Administrator to immediately initiate an internal recruitment and selection process for the position of Assistant County Administrator; and, be it

RESOLVED FINALLY, That the Board of Supervisors does hereby endorse the changes to the supervisory and liaison responsibilities, other major duties and committee assignments recommended by the County Administrator effective December 1, 1999.

## **APPOINTMENTS**

By unanimous consent, Ray Graham, Butch Grimsley, Billy Hitt, and Dr. Nasser Zitta were appointed to the Public Safety Compensation Task Force.

By unanimous consent, Sharon McCamy was appointed Chairman of the Teacher Compensation Task Force.

## **SUPERVISORS TIME**

- Mr. Green asked that the Warren County boundary adjustment be advertised for public hearing in December.

- Mr. Weeks asked for Board support in writing a letter to Vint Hill and Parks and Recreation regarding the use of the Vint Hill gymnasium by law enforcement personnel.

**CONSIDER WHETHER TO ADOPT A RESOLUTION IN OPPOSITION TO THE PROPOSED EQUESTRIAN RACE TRACK LOCATED IN PRINCE WILLIAM COUNTY**

A public hearing was held to consider what the citizens felt would be appropriate action to take regarding a proposed equestrian race track to be located in Prince William County. The following persons spoke:

- Bob Sowder, Cedar Run District, spoke in favor of the proposed racetrack.
- Bill Spriggs, Cedar Run District, an attorney representing the Nokesville Preservation Alliance, spoke in opposition to the proposed racetrack.
- Mark Jenkins, Bealeton, spoke in opposition to the proposed racetrack.
- William Rider spoke in favor of the proposed racetrack and that the track would not survive without gambling. Mr. Rider also stated that he felt Fauquier County should not take a position on this proposal because it is located in Prince William County.
- Diane Kugelman spoke in opposition to the proposed racetrack because of the potential for increased traffic, use of alcohol, and gambling.
- Robert Gifford, Catlett, spoke in opposition to the proposed racetrack because of the potential for increased traffic and the morality of off-track betting.
- Jim McDermott, Cedar Run District, spoke in opposition to the proposed racetrack because of the potential for increased traffic.
- Michael Pearson, President of the Virginia Chapter of Racetrack Chaplains, spoke in favor of the proposed racetrack.
- Tommy Jones, Warrenton, spoke in favor of the proposed racetrack.
- Bruce Collette, Cedar Run District, supports the racing industry and spoke in favor of the proposed racetrack.
- Sid Worley, Marshall District, spoke in favor of the proposed racetrack.
- Brenda Rodman, Cedar Run District, spoke in opposition to the proposed racetrack because of the potential for increased traffic, noise, light pollution, use of alcohol, and enforcement of alcohol related traffic violations.
- Fred Collin, Cedar Run District, spoke in favor of the proposed racetrack.

- Susan McDermott, Cedar Run District, spoke in opposition to the proposed racetrack.
- Ron Kilbourne, Prince William County, spoke in favor of the proposed racetrack and said that this was a lawful business.
- Luanne Smith spoke in favor of the proposed racetrack and asked that the Board of Supervisors support the horse industry.
- Nancy Lynn, Delaplane, spoke in favor of the proposed racetrack.
- Charles Hinkey spoke in opposition to the proposed racetrack at the Prince William location, but indicated he would be in favor of a track at another location.
- Ken Tomlison spoke in favor of the proposed racetrack.
- Duke Zeller, Scott District, representing the Virginia Thoroughbred Association, spoke in favor of the proposed racetrack.
- Bill Smith spoke in favor of the proposed racetrack.
- Charles Peel spoke in opposition to the proposed racetrack because of the potential for increased traffic on Route 605.
- Melville Church, Catlett, spoke in favor of the proposed racetrack.
- Sarah Collette, Casanova, spoke in favor of the proposed racetrack.
- Ann Meyer, Marshall District, spoke in favor the proposed racetrack.
- Mary Peel spoke in opposition to the proposed racetrack.
- Herb Day, Catlett, spoke in opposition to the proposed racetrack because of the potential for traffic problems on Routes 28 and 605.
- Dennis Hale, Nokesville, representing the Nokesville Civic Association, spoke in opposition to the proposed racetrack because of the potential negative social impact on the community and problems with sewage disposal and drainfields.
- Jim Hitch, Loudoun County, spoke in favor of the proposed racetrack.
- David Taylor, Rockbridge County, Maryland, spoke in opposition to the proposed racetrack.
- Rich Wallace, Nokesville Preservation Alliance, spoke in opposition to the proposed racetrack and felt that Fauquier County should build a racetrack if its citizens were in need of one.

- Joe Martin spoke in opposition to the proposed racetrack because of the potential for traffic problems.
- Richard King, Nokesville, spoke in opposition to the proposed racetrack because of the potential for increased crime.
- Mary Ann Hanback spoke in opposition to the proposed racetrack.

The public hearing was closed. Mr. Burton moved to direct the County Administrator to convey all comments received by citizens at the public hearing to Prince William County officials through Chairman Weeks. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**CONSIDER GRANTING A RIGHT-OF-WAY TO VIRGINIA POWER ACROSS COUNTY PROPERTY ON GREEN ROAD TO SERVICE THE PARKS AND RECREATION STORAGE FACILITY**

A public hearing was held to consider a request to grant a right-of-way easement to Virginia Power across County property located on Green Road to service the Parks and Recreation storage facility. No one spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**RESOLUTION**

**A RESOLUTION TO GRANT A RIGHT OF WAY TO VIRGINIA  
POWER FOR UNDERGROUND SERVICE TO PARKS AND**

## RECREATION STORAGE FACILITY ON GREEN ROAD

WHEREAS, the Fauquier County Board of Supervisors wishes to construct a Parks and Recreation Storage Building on Green Road (Route 674); and

WHEREAS, Virginia Power will have to construct, operate and maintain a pole line without limitation, all wires, poles attachments, ground connections and lighting fixtures as they determine to the Parks and Recreation Facility; and

WHEREAS the Fauquier County Board of Supervisors acknowledges that Virginia Power has an existing easement on the property and widening the entrance requires Virginia Power to relocate its overhead power pole and lines and will require the right of easement over, under, through, upon and across the property in Lee District, described on Plat Number 47-99-0032; and

WHEREAS, the Board of Supervisors realizes that Virginia Power will have to inspect, reconstruct, remove, repair, improve, relocate or make changes, alterations, substitutions, additions as it may from time to time deem advisable; and

WHEREAS, the Board of Supervisors wishes to grant a right of way to Virginia Power to extend across lands owned by Fauquier County Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, That the Chairman be, and is hereby, authorized to sign a right of way agreement with Virginia Power to provide services to the Parks and Recreation storage facility located on Green Road.

## **CONSIDER LEASING AN INTEREST IN COUNTY-OWNED PROPERTY AT CARTER RUN TO MOUNT AIRY HUNT CLUB**

A public hearing was held to consider leasing an interest in county-owned property at Carter Run to Mount Airy Hunt Club. Lewis Lee, President of Mount Airy Hunt Club spoke in favor of leasing the property. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

## RESOLUTION

A RESOLUTION TO APPROVE THE EXECUTION OF  
LEASE WITH MOUNT AIRY HUNT CLUB, INC.

WHEREAS, Section 15.2-1800 of the Code of Virginia, 1950, as amended, requires the County to hold a public hearing prior to leasing any interest in its real property; and

WHEREAS, the County owns real property on Carter's Run know as parcel identification #6967-38-0485; and

WHEREAS, the Board of Supervisors desires to lease the property to the Mount Airy Hunt Club, Inc., for hunting purposes; and

WHEREAS, the Board of Supervisors has considered public comment on the question of whether to lease the property; and

WHEREAS, the County has determined that a lease of the premises to the Mount Airy Hunt Club, Inc., is appropriate and that the County Administrator should be authorized to execute a lease agreement with Mount Airy Hunt Club, Inc., and that such lease shall be automatically renewable for successive one-year periods unless terminated in accordance with the terms of the lease; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, That the County Administrator is hereby authorized to execute a lease of the County's Carter Run property for the annual rental of \$1500.

**CONSIDER RECOMMENDED INCREASE OF RATES, FEES AND OTHER CHARGES FOR  
PARIS WATER SYSTEM USERS BEGINNING FY 2001**

A public hearing was held to consider recommended increases in rates, fees and other charges for Paris water system users beginning in FY 2001. John Miller, William Stribling, Lillian Stribling, Ken Benjamin, and Warren Simmons spoke in opposition to increases in rates for Paris water system users. No one else spoke. The public hearing was closed. Mr. Green moved to table the decision until the December 20, 1999 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**CONSIDER AMENDING THE FAUQUIER COUNTY FY 2000 ADOPTED BUDGET TO APPROPRIATE STATE LOTTERY PROCEEDS RECEIVED IN FY 1999**

A public hearing was held to consider amending the Fauquier county FY 2000 adopted budget to appropriate State lottery proceeds received in FY 1999. Dallas Johnson, Superintendent of Schools, spoke in favor of appropriating the lottery proceeds to helping students on achievement and continuation of learning. No one else spoke. The public hearing was closed. Mr. Winkelmann moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**RESOLUTION**

**A RESOLUTION TO AMEND THE FAUQUIER COUNTY FY 2000 ADOPTED BUDGET TO APPROPRIATE STATE LOTTERY PROCEEDS RECEIVED IN FY 1999**

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the adoption of an annual budget for Fauquier County; and

WHEREAS, the Fauquier County Board of Supervisors adopted the Fauquier County FY 2000 Budget on March 26, 1999; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, the 1999 State General Assembly approved \$1,123,014 in FY 1999 lottery proceeds for Fauquier County to be used solely for educational purposes; and

WHEREAS, the Fauquier County School Board is currently considering a middle school renovation project which is estimated to cost approximately \$4,000,000; and

WHEREAS, the General County Government Finance Committee has recommended that the total lottery proceeds be appropriated to an account in the Capital Improvement Plan pending joint Board of Supervisors and School Board discussion and agreement regarding future middle school construction; and



WHEREAS, the Board of Supervisors received comments from residents at a duly advertised public hearing held on November 15, 1999; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15<sup>th</sup> day of November 1999, That the FY 2000 adopted budget be, and is hereby, amended to appropriate FY 1999 State lottery proceeds of \$1,123,014 in the Capital Improvement Plan for middle school renovations.

#### **SPECIAL EXCEPTION - WAVERLY, LLC, OWNER/APPLICANT**

A public hearing was held to consider special exception approval for Waverly, LLC, Owner/Applicant to use the existing manor house and grounds for wedding receptions and private/charity functions. The property is located off Route 626 (Halfway Road) approximately two and one-half miles south of Middleburg, PIN #6092-72-2722, Scott District. Gerhard von Finck, Managing Partner, spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Mangum seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

#### **RESOLUTION**

##### **A RESOLUTION TO APPROVE SPECIAL EXCEPTION REQUEST**

##### **#SE99-S-19 WAVERLY, LLC. , OWNER/APPLICANT**

WHEREAS, Waverly, LLC., owner/applicant, has filed a special exception under Category 9, Outdoor recreation, Lodges and Resorts Use, of the Fauquier County Zoning Ordinance to use the existing manor house and grounds for wedding receptions and private/charity functions; and

WHEREAS, the special exception application of Waverly, LLC., owner/applicant, has been properly filed and all required notices of the public hearings have been properly made, and the Applicant has presented evidence both oral and documentary, and staff has filed a staff report, all indicating compliance with the general standards for the special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds more restrictive standards of Article 5-906 of said Zoning Ordinance are met in this application; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on July 29, 1999, on this special exception request and unanimously recommended approval on August 26, 1999, subject to nine (9) conditions; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of November 1999, That Special Exception #SE99-S-19, Waverly, LLC., Owner/Applicant (PIN #6092-72-2722) be, and is hereby, approved subject to the following nine (9) conditions:

1. The hours of operation will be from 10:00 AM to 11:00 PM.
2. All outdoor music (amplified and non-amplified) shall cease prior to 9:00 PM.
3. Three events will be allowed per month, not to exceed 150 persons.
4. All food will be prepared off-site.
5. Guests for all outdoor functions will utilize portable toilets.
6. A commercial entrance will be maintained to VDOT standards.
7. All building and fire code standards will be met at all times.
8. This special exception is granted for a period of 3 year(s) from date of approval.
9. An approved site plan is required before commencing use.

#### **SPECIAL EXCEPTION - M.E. WHITMAN, OWNER/APPLICANT**

A public hearing was held to consider special exception approval for M.E. Whitman, Owner/Applicant, to continue operating a privately owned public airport. The property is zoned Rural Agriculture, contains approximately 145 acres and is located on Route 611, Sowego Road, PIN #7940-34-8856, Cedar Run District. Eddie Whitman spoke in favor of the request and presented a petition of persons in favor. Scott Seegers, Charles Maples, Larry Walker, Tom Silbersiepe, Michael Aubry, Bob Breeden, Charles Heddings, Chuck Tibit, Phil Kube, and Kirk Wegger also spoke in favor of the request. Robert Niles spoke in opposition to the request and also objected to not being allowed to speak for ten minutes. Kevin McGee, Phil Finkel, Gracie Finkel, Ilene McGee, Lester Parsons, Tom Sablon, Dale Ross, and Bill Haas also spoke in opposition to the request. The public hearing was closed. Mr. Burton moved to table the decision until the December 6, 1999 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST - STATE BANK OF REMINGTON, OWNER/APPLICANT**

A public hearing was held to consider a request from the State Bank of Remington for a Comprehensive Plan amendment on the Bealeton Service District map to revise the density, as well as amend the text to include the new density and Planning Residential Development District and to rezone 103 acres from R-1, R-4, TH, C-1 and C-3 to Planned Resident Development and C-2, and to modify the Zoning Ordinance dealing with minimum lot size. The property is located at the southern portion of the Route 17 and Route 28 crossroads in the Bealeton Service District, PIN #6899-46-4144 and #6899-47-6674, Lee District. Jeff Parker, Jay Tucker, and Jay Norman, all representing the State Bank of Remington, spoke in favor of the requests. Jim Stone and Kitty Smith spoke in opposition. The public hearing was closed. Mr. Mangum moved to table the decision until the December 6, 1999 meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**SPECIAL EXCEPTION - LUCY TRIPLETT-CAUDILL, OWNER, AND SBA, INC., APPLICANT**

A public hearing was held to consider a request for special exception approval from Lucy Triplett-Caudill, Owner, and SBA, Inc., Applicant, to allow a telecommunications facility on an approximate 100 foot by 100 foot compound. The property is zoned Rural Conservation and Village, contains 78 acres and is located on Crimson Lane in Linden, PIN #6001-56-3980-000, Marshall District. Gino Balderen spoke in opposition of the request. No one else spoke. The public hearing will be continued at a later date once the Planning Commission has made recommendations. Mr. Green moved to continue the public hearing after receiving the Planning Commission's recommendations. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**SPECIAL EXCEPTION - ROBYN S. STEELE, OWNER, AND SBA, INC., APPLICANT**

A public hearing was held to consider a request for special exception approval from Robyn S. Steele, Owner, and SBA, Inc., Applicant, to allow a telecommunications facility on an approximate 100 foot by 100 foot compound. The property is zoned Rural Agriculture, contains 5 acres and is located on Grove Lane near Ashville, PIN #6050-23-9707, Marshall District. No one spoke. The public hearing will be continued at a later date. Mr. Green moved to continue the public hearing once the Planning Commission makes recommendations. Mr. Mangum seconded, and the vote for the motion was 4 to 0 as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: Mr. Joe Winkelmann***

***Abstention: None***

**SPECIAL EXCEPTION - JULIE MARTIN, OWNER, AND SBA, INC., APPLICANT**

A public hearing was held to consider a request for special exception approval from Julie Martin, owner, and SBA, Inc., Applicant, to allow a telecommunications facility on an approximate 100 foot by 100 foot compound. The property is zoned C-2, Conditional, contains 5 acres and is located on John Marshall Highway at Markham, PIN #6021-63-5540-000, Marshall District. Gino Balendero spoke in opposition. No one else spoke. The public hearing will be continued at a later date. Mr. Green moved to continue the public hearing after the Planning Commission makes recommendations. Mr. Burton seconded, and the vote for the motion was 4 to 0 as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: Mr. Joe Winkelmann***

***Abstention: None***

**REZONING REQUEST - JULIE MARTIN, OWNER/APPLICANT**

A public hearing was held to consider a request from Julie Martin, Owner/Applicant, to amend the conditions of a previously approved rezoning to expressly permit construction of one fully camouflaged silo telecommunication facility. The property is zoned C-2, Conditional, contains 5 acres and is located on John Marshall Highway at Markham, PIN #6021-63-5540-000, Marshall District. No one spoke. The public hearing will be continued once the Planning Commission makes recommendations. Mr. Green moved to continue the public hearing after the Planning Commission makes recommendations. Mr. Mangum seconded, and the vote for the motion was 4 to 0 as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: Mr. Joe Winkelmann***

***Abstention: None***

**SPECIAL EXCEPTION - HOWARD L. AND JANE M. GROVE, OWNERS, AND NATIONAL COMMUNICATION TOWERS, APPLICANT**

A public hearing was held to consider a request for special exception approval from Howard L. and Jane M. Grove, Owners, and National Communication Towers, Applicant, to allow for the construction of a communications facility, including a maximum 199 foot tower and related equipment buildings. The property is located on the west side of Route 637, Shipps Store Road, and the south side of Route 17, Marsh Road, PIN #7806-78-9041-000, Lee District. No one spoke. The public hearing will be continued after the Planning Commission makes recommendations. Mr. Mangum moved to continue the public hearing after the Planning Commission makes recommendations. Mr. Burton seconded, and the vote for the motion was 4 to 0 as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: Mr. Joe Winkelmann***

***Abstention: None***

**SPECIAL EXCEPTION - LUCK STONE CORPORATION, OWNER, AND BOARD OF SUPERVISORS OF FAUQUIER COUNTY, APPLICANT**

A public hearing was held to consider a request for special exception approval from Luck Stone Corporation, Owner, and the Board of Supervisors, Applicant, to allow restricted use

of an existing private road through Luck Stone property for the temporary delivery of stone, concrete, asphalt products, and turbines associated with the construction of the Virginia Power Peaking Facility. The proposal's objective is to remove heavy industrial traffic from Lucky Hill Road. The property is located on the southwest side of Route 17 and Energy Road and extends south to Lucky Hill Road, Lee District. No one spoke. The public hearing was closed. Mr. Mangum moved to adopt the following resolution. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

## **RESOLUTION**

### **A RESOLUTION TO AMEND CONDITIONS CONTAINED IN THE LUCK STONE CORPORATION SPECIAL EXCEPTIONS TO PERMIT RESTRICTED USE OF A PRIVATE ROAD FOR DELIVERIES OF CONSTRUCTION PRODUCTS, TURBINES AND OTHER CONSTRUCTION MATERIALS TO THE VIRGINIA POWER PEAKING FACILITY LOCATED ON ROUTE 655 (LUCKY HILL ROAD)**

WHEREAS, the Board of Supervisors previously granted to the Luck Stone Corporation Special Exception 1212, 1590, 25690 and 27240 permitting Luck Stone Corporation to operate a quarry upon certain terms and conditions; and

WHEREAS, the terms and conditions of the special exception presently prohibit the use of a private road on the Luck Stone Corporation properties; and

WHEREAS, the Fauquier County Board of Supervisors wishes to amend the special exception conditions to permit the restricted use of the aforesaid private road to permit the delivery of concrete, stone, asphalt, turbines and other construction materials to the Virginia Power Peaking Facility located on Route 655 to alleviate a safety issue associated with the use of Route 655 by heavy construction and industrial traffic; and

WHEREAS, the Luck Stone Corporation, as the owner of the property, has agreed to execute the application for the special exception in order to help alleviate the safety

issue; and

WHEREAS, the Fauquier County Planning Commission held a public hearing, on request, at their October 28, 1999 Planning Commission meeting and voted to recommend approval of the Special Exception request; now, therefore, be it

RESOLVED by the Board of Supervisors of Fauquier County this 15th day of November 1999, That the Board of Supervisors does hereby amend the terms and conditions of Special Exception 1212, 1590, 25690, and 27240 to permit the restricted use of the private road located on the properties of Luck Stone Corporation as a southern connection with Lucky Hill Road which is currently gated. The restricted use shall be for the delivery of concrete, stone, asphalt, turbines and other construction materials to the Virginia Power Peaking Facility located on Route 655 to alleviate a safety issue associated with the use of Routes 655 and 656 by heavy construction and industrial traffic.

With no further business, the meeting was adjourned.